

Form M-200

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:
Jerry Edwards
Debtor(s)

**Case No. 22-30950
(Chapter 13)**

**MOTION FOR RELIEF FROM THE STAY [AND CO-DEBTOR STAY, IF APPLICABLE] REGARDING
EXEMPT PROPERTY**

THIS IS A MOTION FOR RELIEF FROM THE AUTOMATIC STAY. IF YOU OBJECT TO THE GRANTING OF RELIEF FROM THE AUTOMATIC STAY, YOU SHOULD CONTACT THE MOVANT IMMEDIATELY TO TRY TO REACH AN AGREEMENT. IF YOU CANNOT REACH AN AGREEMENT, YOU MUST FILE A WRITTEN RESPONSE AND SEND A COPY TO MOVANT NOT LATER THAN DECEMBER 31, 2024 AND YOU MUST ATTEND THE HEARING.

THE COPY SENT TO THE MOVANT MUST BE DELIVERED BY HAND OR ELECTRONIC DELIVERY IF IT IS SENT LESS THAN 7 DAYS PRIOR TO THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE HEARING MAY BE AN EVIDENTIARY HEARING AND THE COURT MAY GRANT OR DENY RELIEF FROM THE STAY BASED ON THE EVIDENCE PRESENTED AT THIS HEARING. IF A TIMELY OBJECTION IS FILED, THE COURT WILL CONDUCT A HEARING ON THIS MOTION ON JANUARY 07, 2025 AT 9:30 A.M. IN COURTROOM, .

1. This motion requests an order from the Bankruptcy Court authorizing the person filing this motion to foreclose on or to repossess the property that is identified in paragraph 3.
2. Movant: Ally Bank.
3. Movant, directly or as agent for the holder, holds a security interest in 2017 Chrysler 300 Sedan 4D Limited 3.6L V6, VIN # 2C3CCAAG9HH612635.
4. Movant has reviewed the schedules filed in this case. The property described in paragraph 3 is claimed as exempt by the debtor. Movant does not contest the claimed exemption.
5. Type of collateral (e.g., Home, Manufactured Home, Car, Truck, Motorcycle): Automobile.
6. Debtor's scheduled value of property: \$23,775.00.
7. Movant's estimated value of property: \$15,075.00.
8. Total amount owed to movant: \$19,937.21.
9. Estimated equity (paragraph 7 minus paragraph 8): \$0.00.
11. Total pre and post-petition arrearages: \$7,527.36.
12. Total post-petition arrearages: \$7,527.36.
13. Amount of unpaid, past due property taxes, if applicable: \$_____.
14. Expiration date on insurance policy, if applicable: _____.
15. Movant seeks relief based on the debtor(s)' failure to make payments. Debtor(s)' payment history is attached to the Affidavit as Exhibit "D." Movant represents that the attached payment history is a current payment history reflecting all payments, advances, charges and credits from the beginning of the loan. Movant further represents that the payment history is self explanatory or can be interpreted by application of coding information that is also attached. Movant acknowledges that the Court may prohibit the use of parole evidence to interpret a payment history that does not satisfy these representations.

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16. Movant seeks relief based on the debtor(s)' failure to provide a certificate of insurance reflecting insurance coverage as required under the Debtor's pre-petition contracts.

17. If applicable: Name of Codebtor: _____

18. Based on the foregoing, movant seeks termination of the automatic stay [and the co-debtor stay, if applicable] to allow movant to foreclose or repossess the debtor(s)' property and seeks to recover its costs and attorneys' fees in an amount not to exceed the amount listed in paragraph 9.

19. Movant certifies that prior to filing this motion an attempt was made to confer Debtor(s)' counsel (or with Debtor(s), if pro se) either by telephone, by e-mail or by facsimile, by the following person on the following date and time: on December 12, 2024, 06:15PM. An agreement could not be reached. If requested by debtors or debtor's counsel, a payment history in the form attached to this motion was provided at least two days, excluding intermediate weekends and holidays, before this motion was filed.

Dated: December 13, 2024

/s/ Patrick M. Lynch

Movant's counsel signature

Name: Patrick M. Lynch

State Bar No.: State Bar #24065655

S.D. Tex. Bar No.: _____

Address: 2001 Bryan St.

Suite 1800 Dallas TX 75201

Telephone: (214) 880-1864

Fax: (214) 871-2111

E-mail: plynch@qslwm.com

Certificate of Service

I certify that on December 13, 2024, I caused to be served a true and correct copy of the foregoing Motion for Relief from stay by electronic mail or by first class mail with postage prepaid on the following:

Via US Mail

Jerry Edwards
309 W Humble Street
Baytown, TX 77520

Harris County
Linebarger Goggan Blair & Sampson LLP
PO BOX 3064
Houston, TX 77253
By First Class Mail

Ally Bank
AIS Portfolio Services, LP
4515 N Santa Fe Ave. Dept. APS
Oklahoma City, OK 73118
By First Class Mail

Via CM / ECF / NEF

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